IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2006

C O R A M

THE HONOURABLE MR. JUSTICE P.SATHASIVAM

WRIT PETITION NO.11844 of 2004
& WPMP No.13926 of 2004

M.Karunakaran ... Petitioner

vs.

1.The Vellore District Consumer
Co-operative Wholesales Stores Ltd.,
rep. by its Joint Registrar/
Special Officer, Vellore,
Vellore District.

2.The Deputy Registrar,
Co-operative Societies,
Thulasilingam Pillai Street,
Sankaranpalayam, Vellore,
Vellore District.

3.The Co-operative Extension Officer/
Enquiry Officer(Arakkonam),
The Vellore District Consumer
Co-operative Wholesale Stores Ltd.,
Vellore, Vellore District. ..Respondents

Petition under Article 226 of The Constitution of India to issue a Writ of Mandamus to forbear the respondents from proceeding with enquiry or taking any action under the provision of section 81 of the Tamil Nadu Co-operative Societies Act.

For petitioner ... Mr.M.Jermiah for
Mr.P.Krishnan

For 1st Respondent... Ms.S.Indumathi Ravi for
for M/s Gupta & Ravi

For 2nd respondent... Mrs.D.Geetha,
Addl. Government Pleader

O R D E R

Considering the relief sought for, by consent of all the parties, the writ petition itself is taken up for disposal.

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2. In the writ petition, the petitioner has prayed for issuance of Writ of Mandamus forbearing the respondents from

proceeding with enquiry or taking any action under the provision of section 81 of the Tamil Nadu Co-operative Societies Act.

3. The first respondent herein has filed a counter affidavit wherein it is stated that despite several opportunities, the petitioner did not participate in the enquiry and ultimately he was set ex-parte in the enquiry and after recording the evidence of the society personnel, the enquiry officer submitted his report on 31.03.2004.

4. In the light of the above information, no further adjudication is required in this petition. Accordingly, the same is dismissed. No costs. Consequently, W.P.M.P.No.13926 of 2004 is also dismissed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

raa

To

1.The Joint Registrar/Special Officer,
Vellore District Consumer
Co-operative Wholesales Stores Ltd.,
Vellore, Vellore District.

2.The Deputy Registrar,
Co-operative Societies,
Thulasilingam Pillai Street,
Sankaranpalayam, Vellore,
Vellore District.

3.The Co-operative Extension Officer/
Enquiry Officer(Arakkonam),
The Vellore District Consumer
Co-operative Wholesale Stores Ltd.,
Vellore, Vellore District.

+1cc to M/s.Gupta & Ravi Advocates Sr 33406

VC (CO)
km/4.8.

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